

that becomes larger by expanding the expandable portion is within the passage defined by the cannula itself. In other words, the increased working space created by the expansion includes space contained within, as opposed to only in front of, the tube. In the Bonutti Patent No. 5,163,949 ('949), the longitudinally extending support member (tube) has an expandable portion where the expandable portion extends distally from the tube. The '949 device creates an expanded space in front of the tube as opposed to within the tube. In the Bonutti Patent No. 5,149,971 ('971), the instrument also creates an expanded retracted space in front of the tube. Thus claim 23 is allowable.

It is further submitted that claims 2 and 4-8, which depend from claim 23, are allowable for at least the reasons claim 23 is allowable and for the limitations recited therein.

It is respectfully submitted that claim 10 is allowable over the references cited. Claim 10 recites a cannula wherein a second tubular portion is diametrically expandable to enable enlargement of the second passage to a size which is greater than said first diameter of said first passage. The area that becomes larger by expanding the second tubular portion is within the passage defined by the cannula itself. In other words, the increased working space created by the expansion includes space contained within, as opposed to only in front of, the tube. In the Bonutti Patent No. 5,163,949 ('949), the longitudinally extending support member (tube) has an expandable portion where the expandable portion extends distally from the tube. The '949 device creates an expanded

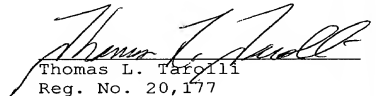
space in front of the tube as opposed to within the tube. In the Bonutti Patent No. 5,149,971 ('971), the instrument also creates an expanded retracted space in front of the tube through which instruments are passed. Thus claim 10 is allowable.

It is further submitted that claims 11, 12, 14, 17, 18 and 20-22, which depend from claim 10, are allowable for at least the reasons claim 10 is allowable and for the limitations recited therein.

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance, and allowance of the above-identified application is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account
No. 20-0090.

Respectfully submitted,


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